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C.H. HUCKELBERRY  
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Arizona Corporation Commission

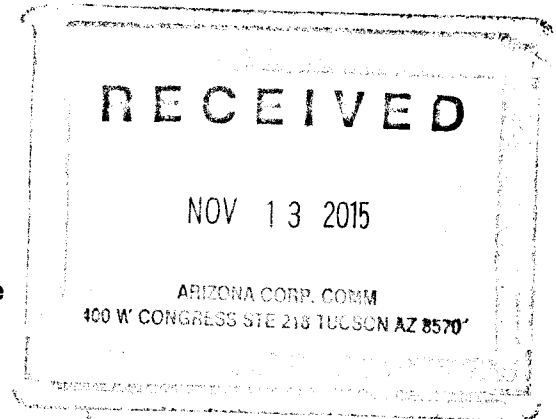
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November 13, 2015

Thomas Chenal, Chairman  
Arizona Power Plant and Transmission Line Siting Committee  
Office of the Arizona Attorney General  
1275 W. Washington Street  
Phoenix, Arizona 85007



Re: **SunZia Transmission, LLC, application for Certificate of Environmental Compatibility**  
**Docket No. L-00000YY-15-0318-00171**

Dear Chairman Chenal:

As a principal landowner and land manager in the San Pedro Valley, Pima County provides these additional comments to reiterate those factors that Pima County continues to be greatly concerned about. Our core issues are preserving the biological integrity of our Conservation Lands System, protecting the public's significant investment in the Valley, and our ability to fulfill our long-term mitigation obligations for our Section 10 Incidental Take Permit from the US Fish and Wildlife Service. We are also compelled to provide greater detail on those measures we believe are absolutely necessary to avoid, minimize, and mitigate impacts from this project should the requested right of way alignment through Pima County be recommended for approval by the Arizona Power Plant and Transmission Line Siting Committee and approved by the Arizona Corporation Commission.

**Avoid the San Pedro River Valley**

Starting with the pre-scoping phase of the Bureau of Land Management's environmental review process (2010), Pima County has consistently opposed an alignment through the San Pedro River Valley. As I have previously communicated, our community has made remarkable investment in securing property (fee title) and property interests (grazing leases, conservation easements, etc.) to conserve the biological wealth of these nationally and internationally significant lands. Furthermore, possession of these Conservation Lands

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(See Pima County's *Statement of Limited Appearance* – Figure 2) allows us to protect a unique land and aquatic resource base that will provide important mitigation lands for our Section 10 Incidental Take Permit from the U.S. Fish and Wildlife Service. For two very important reasons, we will be hard pressed to provide substitute mitigation lands if we are not able to make full use of our Conservation Lands in the San Pedro River Valley. First, these lands and resources have no match elsewhere in Pima County and second, voters earlier this month did not replenish the funding source that would be used to secure replacement lands. Rerouting the alignment to avoid Pima County's Conservation Lands in the San Pedro River Valley is paramount.

Regarding the subject of re-routing the alignment, Pima County's August 22, 2012 comments on the SunZia Draft Environmental Impact Statement (EIS) criticized the insufficient range of alternatives presented for analysis. It is distressing that this tendency continues with SunZia's presentation of a single alignment to the Line Siting Committee. The very recent release of the Southline Transmission Project's Final EIS is telling in that the analysis of the selected route documents a lesser degree of environmental impact than was originally expected and strongly suggests that there is likely a Tucson route, perhaps along Interstate 10, that could be a viable alternative route for transportation of energy, including renewable energy derived from southern Arizona. That said, there are aspects of a potential Tucson route that we have consistently opposed: the far west Tucson route, the Rillito River/Pantano Wash alignment, and the alignment through the Cienega Valley. Our present position on these elements has not changed.

#### Minimizing Impacts

Several measures are listed in Pima County's *Statement of Limited Appearance* which would significantly minimize impacts to County interests. There are repeated here with some slight amendment (the fourth item is amended to address all riparian crossings) for your convenience. Again, I would request that these measures be applied as conditions should the project be recommended for approval and should rerouting of the right of way alignment not avoid the San Pedro River Valley.

- No new access or maintenance roads.
- Employ aerial techniques to construct towers, tower sites, and power line stringing and tensioning.
- Establish the project's crossing at the San Pedro River at a location where the stream flow is ephemeral.
- Elevate the tower height at all regulated riparian habitat crossings as mapped by the Pima County Regional Flood Control District to span trees such that vegetation maintenance and clearing is not necessary (See *Statement of Limited Appearance* - Figure 5.).
- Realign the project to avoid the right of way from paralleling Paige Canyon.

### Mitigating Impacts

If re-routing the alignment out of the San Pedro River Valley does not occur, we expect compensation for impacts to the Conservation Lands System and loss of publicly funded Conservation Lands and Section 10 Mitigation Bank lands. It is imperative to apply both Mitigation Measures as they address separate issues and are not interchangeable. The following clarifies our expectations.

As previously disclosed in the county's *Statement of Limited Appearance*, the entire requested alignment crosses County Conservation Lands. Given the route of the alignment as portrayed today and assuming a minimum right of way width of 1,000 feet, the impacted area is approximately 2,400 acres. The Conservation Land System ascribes a 4:1 mitigation ratio (4 acres conservation for every 1 acre impact) which results in a minimum mitigation requirement of approximately 9,600 acres of comparable high value habitat. Should the right of way width expand, this estimate will increase proportionately.

*Mitigation Measure #1.* The current owner(s) of the right of way will provide Pima County with ownership or a property interest in a minimum of 9,600 acres of undeveloped natural open space lands that have the same Conservation Lands System designation or better than those lands within the right of way. Mitigation land will be located within the San Pedro River Valley lying within Pima County or adjoining counties. Ownership or property interest will be conveyed to Pima County on all mitigation lands within 2 years of the Arizona Corporation Commission's approval of the right of way. Alternatively, if property interest to all 9,600 acres of mitigation land has not been provided at the conclusion of the 2-year period, the current owner(s) of the right of way will make in-lieu fee payment to Pima County in a sum sufficient for purchase or lease of the mitigation acreage balance. The final determination as to whether mitigation lands are acceptable for that purpose rests with Pima County.

History demonstrates that the construction and operation of linear infrastructure projects (e.g., transmission lines, pipelines, etc.) within Pima County leave behind enduring resource impacts whose adverse consequences are left for the local community to grapple with. To address such deficiencies, Pima County and community stakeholders have successfully collaborated with infrastructure owners in the development of long-term monitoring and adaptive management plans that address solutions for long-term impacts.

*Mitigation Measure #2.* Work with Pima County to collaboratively develop and implement a Long-Term Monitoring and Adaptive Management Plan that includes, but may not be limited to, the control and eradication of invasive species, proliferation of off-road vehicle impacts, effective habitat restoration and vegetation management, and protection of cultural resources. The Long-Term Monitoring and

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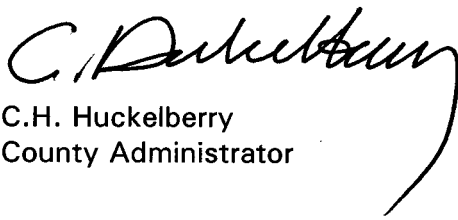
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Adaptive Management Plan will be effective for no less than 20 years and will be codified through an enforceable means. Development of the Long-Term Monitoring and Adaptive Management Plan will be completed within one (1) year of the Arizona Corporation Commission's approval of the right of way or initiation of construction within Pima County whichever occurs first.

I strongly encourage the Line Siting Committee to incorporate these conditions into your recommendation to the Arizona Corporation Commission. Thank you for your consideration.

Sincerely,



C.H. Huckelberry  
County Administrator

CHH/mjk

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